



# SMITH MOORE LEATHERWOOD

238581

August 22, 2012

South Carolina Public Service Commission  
Attn: Docketing Department  
101 Executive Center Drive, Suite 100  
Columbia, SC 29210

MAIL / DMS

State of South Carolina  
Office of Regulatory Staff  
Attn: Water and Wastewater Dept.  
1401 Main Street, Suite 900  
Columbia, SC 29201

RECEIVED

Re: PSC Docket No. 2012-289-W  
Cliff Ridge Colony Homeowners Association, Inc., Application for Exemption  
from Regulation by South Carolina Public Service Commission: Supplemental  
Submissions

Dear Sir or Madam:

Reference is hereby made to that certain Application for Exemption from Regulation dated July 13, 2012 (the "Application"), by Cliff Ridge Colony Homeowners Association, Inc. (the "Association"), which has been assigned Docket No. 2012-289-W. By letter of July 13, 2012, I have attempted to clarify that the Application was initially supported by 74 out of 86 possible signatures from owners of developed Lots within the Cliff Ridge Colony community. I would further point out that failure to obtain signatures of *all* owners of developed Lots does not indicate wide-spread objection to the Application. Rather, in some instances it is the result of simple ambivalence. Since receiving PSC's Directive, I have tasked the Board of the Association to revisit efforts to obtain signatures and hereby submit four (4) additional signatures bringing the total in support of the Application to 78 out of 86 possible. The Board has commitments from two other owners such that it is anticipated that I will eventually obtain all but 6 signatures. In other words, the Application is supported by 93% of developed Lot owners.

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Additionally, I am in receipt of several letters to the Commission raising objection to the exemption for a variety of reasons. I submit to you that these letters do not contend that exemption from regulation is itself inappropriate. Rather, they consistently take exception to matters of Association governance, voting routines, and methods of communication. Behind these objections is a small group of individuals who are more than content to have the cost of their water usage subsidized by the owners of unimproved lots. Considering the absence of any for-profit motivation of the Association in the operation of its water system and the 93% of users content with the Association's fee-for-use structure, it remains true and unassailable that exemption from regulation in the present instance is proper.

Again, I thank the Commission for its time and consideration of this matter, and I respectfully request that the Association's Application be granted. With kindest regards, I remain


Yours very truly,

  
SMITH MOORE LEATHERWOOD LLP

William B. Swent

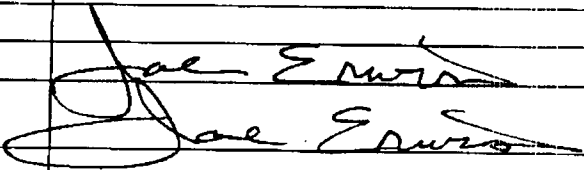
WBS/jrh  
Enclosures

GREENVILLE 1316485.1

MCKINNON	338	
MCMINN	371	
MINK	140	
MOORE	117	
PILZER	002	
PRINCE	230	
WHEELER	177	
RAGSDALE	004	
RAINS	187	
ROBINSON	249	
ROSS	126	
SCHACHT	193	
SHULL	270	
SHULTS	144	
SPARKS	208	
SIMS	146	
SMITH, CONNIE	109	
SMITH, STAN	334	
SORENSEN	197	
STONE	266	
STOVER	111	
STRANGE	131	
TAYLOR	164	
TENEBAUM	383	
TIPPINS	289	
TOOHEY	176	
TRAUB	147	
TSAI	104	
WALKER	139	
WILKINS	210	
WINKLER	190	
WINSLOW	119	 8/20/12
WOOD	244	
YOUNG, DICK	141	
YOUNG, JIM	342	
ZELLER	377	

CADY	270	
CAMARATA	310	
CARROLL	268	
CARTER	293	
COBB	178	
COLLINS	313	
COOK	245	
COOKE	373	
CULLUM	250	
DEBORDE	212	
DODSON	240	
ELLIS	170	
ERWIN, BOB	153	
ERWIN, JOE	362	
ERWIN WATER FEATURE	362	
FISHER	276	
FORTNER	130	
FREELAND	220	
GOSSETT	259	
GREGORY	124	
HARDEN	105	
HEMPHILL	149	
HICKS, J.	189	
HICKS, V.	321	
HORNI	116	
HOWARD	154	
JOSEY	228	
KEITH	237	
KENDRICK	262	
KILBRIDE	366	
KING	005	
KLAVA	202	
KOCHMAN	159	<i>ERWIN, JOE</i>
LANDRUM	295	
LAWSON	292	
MANN	150	
MANSFIELD	263	
MARZULLI	145	

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